IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

WP(C).No. 28067 of 2007(N)

PETITIONERS:
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1. P.V.JOY, PUTHENPURAYIL HOUSE,
KURISUPARA, VATTAYAR, PALLIVASAL PANCHAYATH,
IDUKKI DISTRICT.

2. M.N.GOPI, MOONNUKANDATHIL HOUSE,
PALLIVASAL, VATTAYAR P.O., IDUKKI.

BY ADV. SRI.P.P.JACOB

RESPONDENTS:
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1. PALLIVASAL MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD.NO.I 157(D), VATTAYAR PO., IDUKKI,
REPRESENTED BY ITS SECRETARY.

2. THE DAIRY EXTENSION OFFICER, DIARY
DEVELOPMENT, ADIMALI.

3. THE DEPUTY DIRECTOR, DAIRY DEVELOPMENT
DEPARTMENT, THODUPUZHA.

4. THE RETURNING OFFICER,
KSHEERAVIKASANA OFFICER,
KSHEERAVIKASANA UNIT,
ADIMALI P.O.

BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/09/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.28067 of 2007

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Dated this the 20th day of September, 2007

JUDGMENT

The prayer in the writ petition is for a direction to consider Exts.P4 and P5 and to issue permission to the petitioners to contest in the election scheduled as per Ext.P1. Petitioners have completed two terms. According to them there is a clause in the bye-law, under which without permission they cannot contest. In fact according to them under Ext.P3 Circular directions were issued to the statutory authorities to remove the bye-law clause, if any. Petitioners have filed Exts.P4 and P5 before the third respondent.

2. I heard learned Government Pleader also.

The writ petition is disposed of directing the third respondent to consider and take a decision on Exts.P4 and P5 in accordance with law within a period of one week from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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